

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
PINE BLUFF DIVISION**

CARL EDWARD WILLIS
ADC #134185

PLAINTIFF

V.

5:07CV00032 SWW/JTR

DALLAS CRAIG, JR.,
Mental Health Counselor, Cummins Unit,
Arkansas Department of Correction

DEFENDANT

ORDER

The Court has reviewed the Proposed Findings and Recommended Disposition submitted by United States Magistrate Judge J. Thomas Ray and the filed objections. After carefully considering these documents and making a *de novo* review of the record in this case, the Court concludes that the Proposed Findings and Recommended Disposition should be, and hereby are, approved and adopted in their entirety as this Court's findings in all respects.

IT IS THEREFORE ORDERED that:

1. Defendant's Motion for Summary Judgment (docket entry #64) is GRANTED, and this case is DISMISSED, WITHOUT PREJUDICE, due to Plaintiff's failure to timely and properly exhaust his administrative remedies.
2. The Court CERTIFIES, pursuant to 28 U.S.C. § 1915(a)(3), that an *in forma pauperis* appeal from this Order and the accompanying Judgment would not be taken in good faith.

Dated this 25th day of July 2008.

/s/Susan Webber Wright
UNITED STATES DISTRICT JUDGE